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GUIDELINE E-3
(formerly 03-04)

Environmental Assessment (EA) Planning and Approvals

Legislative Authority:

Environmental Assessment Act, RSO 1990

Responsible Director:

Director, Environmental Assessment Branch

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SYNOPSIS

This guideline informs proponents and affected parties of the requirements of the *EA Act* and key features of environmental assessment. The Ministry will refer to this guideline in the course of reviewing environmental assessments (EA) under the *EA Act*.

Additional information is included in Procedure E-3-1: "Interim Procedures on Environmental Assessment Planning and Approvals".

1.0 Introduction

This guideline describes the five features which are the keys to successful planning under the *Environmental Assessment Act (EA Act)*. Before commencing planning, a proponent should review Procedure E-3-1: "Interim Procedures for Environmental Assessment Planning and Approvals". This procedure explains the requirements of the *EA Act* and discusses how the five key features can be incorporated in the planning process and preparation of the EA. Details of the approval process are provided in the *EA Act*.

Information relating to consultation with affected parties may be found in Guideline E-2: "Pre-Submission Consultation in the Environmental Assessment Process" and the associated Procedure E-2-1: "Procedures for Pre-Submission Consultation in the Environmental Assessment Process".

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2.0 Definitions

The Proponent:

The organization responsible for the planning and implementation of the undertaking

Affected Parties:

Any members of the public or public interest groups with an interest in the undertaking, as well as government reviewers

3.0 Guideline Considerations

3.1 Objectives

- (a) To describe the requirements of the *EA Act* and its basic concepts and principles.
- (b) To assist the proponent in carrying out planning and in documenting that planning to meet *EA Act* requirements.
- (c) To encourage the proponent to identify and resolve issues, to the extent possible, before an EA is formally submitted.
- (d) To promote an effective EA process.
- (e) To help reduce the time involved in the formal approvals process.

3.2 Features of Environmental Assessment

The *EA Act* promotes good planning. There are five activities which are key to successful planning under the *EA Act*:

- (a) consult with affected parties;
- (b) consider reasonable alternatives;
- (c) consider all aspects of the environment;
- (d) systematically evaluate net environmental effects;
- (e) provide clear, complete documentation.

3.2.1 Consult with Affected Parties

Make the planning process a co-operative venture with affected parties. Early consultation with affected parties is essential.

Proponents should seek to involve all affected parties as early as possible so that their concerns can be identified and addressed before irreversible decisions and commitments are made on the chosen approach or specific proposals. To achieve this, the planning process must be constructed around the involvement and contributions of affected parties. This approach has a number of benefits which include:

- (a) improving the understanding of environmental concerns before the undertaking is selected and focusing the proponents' planning on matters of concern;
- (b) encouraging the identification and resolution of issues, to the greatest extent possible, before an EA is formally submitted, which expedites the formal approvals process; and
- (c) promoting mutually-acceptable, environmentally-sound solutions by developing positive relationships among those involved in consultation.

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3.2.2 Consider Reasonable Alternatives

Consider a reasonable range of alternatives must be considered.

The planning must consider: "alternatives to" the undertaking, which fulfil the purpose of the undertaking in functionally different ways, and "alternative methods" of implementing a particular type of alternative. The "do-nothing" alternative must also be considered.

3.2.3 Consider all Aspects of the Environment

Identify and consider the effects of each alternative on all aspects of the environment.

The planning process must consider not only effects on the natural or biophysical environment but also effects on "the social, economic and cultural conditions that influence the lives of humans or a community" and their inter-relationships, as well as technical considerations.

3.2.4 Systematically Evaluate Net Environmental Effects

Explicitly evaluate alternatives in light of their advantages and disadvantages as developed through a net effects analysis.

The planning process shall include distinct points where alternatives are evaluated and the net environmental effects (effects remaining after mitigation or enhancement have been addressed) associated with each alternative are clearly identified.

Decision-making should be phased, narrowing progressively to a preferred alternative. This results in a process in which alternatives may be eliminated from consideration at different points in planning. Decisions on what type or combination of alternatives are preferred are generally made earlier in the planning process and more detailed decisions on how to implement the preferred alternatives are made later.

3.2.5 Provide Clear, Complete Documentation

The process shall recognize the dynamic nature of environmental decision-making. In particular, it must be sensitive to changing conditions and new information and be flexible enough to deal with such input. This approach, if carried out effectively, results in identifying a preferred alternative which has a thorough and rational justification for environmental approval.

The EA should strive both to represent accurately the process that was followed in a clear and understandable way and to communicate the results of that process.

The approach the planning process followed and the way in which the principles of environmental assessment were addressed should be clearly explained in the EA. This can be termed "traceability". Clarity and simplicity are objectives as well as completeness and precision.

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3.3 Implementation

This guideline will be implemented by the Ministry during pre-submission consultation and the formal approvals process. It shall provide the basis for Ministry advice during pre-submission consultation and for the evaluation of the planning process in the government review. The government review is one of the factors the Minister or board must consider in deciding if the EA is acceptable and the undertaking should be approved.



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